

JUDGE KARAS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X UNITED STATES OF AMERICA :

- v. - :

CESAR RIVERA, :

Defendant. :

-----X

COUNT ONE

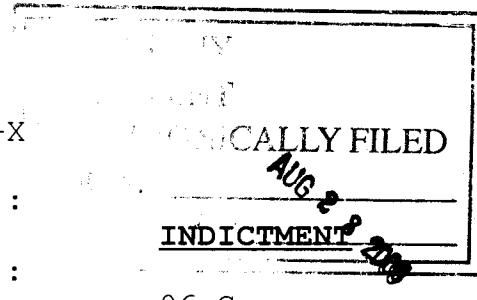
The Grand Jury charges:

1. From at least in or about July 2004, up to and including on or about September 23, 2005, in the Southern District of New York, CESAR RIVERA, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of said conspiracy that CESAR RIVERA, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectible amount of marijuana, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(D).

OVERT ACTS

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York.

**06CRIM 734**

a. On or about July 1, 2004, in the vicinity of 336 East 166th Street, Bronx, New York, CESAR RIVERA, the defendant, possessed a quantity of marijuana.

b. On or about July 17, 2005, in the vicinity of 2 East 169 Street, Bronx, New York, CESAR RIVERA, the defendant, possessed a quantity of marijuana.

c. On or about September 23, 2005, CESAR RIVERA, the defendant, and others known and unknown, traveled to the vicinity of 182nd Street and Valentine Avenue, Bronx, New York, and robbed a drug dealer at gunpoint of approximately one half pound of marijuana.

d. On or about September 23, 2005, CESAR RIVERA, the defendant, gave two co-conspirators not named herein marijuana packaged for distribution.

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

4. On or about September 23, 2005, in the Southern District of New York, CESAR RIVERA, the defendant, unlawfully, willfully, and knowingly, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the offense charged in Count One of this Indictment, did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, which the defendant

brandished at a victim in the vicinity of 182nd Street and Valentine Avenue in the Bronx, New York.

(Title 18, United States Code,
Sections 924(c)(1)(A)(ii) and 2.)

Betty Bradley
FOREPERSON

Michael Garcia
MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA

- v. -

CESAR RIVERA,
Defendant.

INDICTMENT

06 Cr.

(Title 21, United States Code, Section
846, Title 18, United States Code,
Section 924(c)(1)(A)(ii).)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Bevige Bradley
Foreperson.

Indictment filed, case assigned to Judge
Karas.

F. Moas, USMS

Post 11/87

RC
8/28/06